

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
Case No. 5:12-cv-69-H

ROSE LORENZO, individually and on behalf)
of others similarly situated,)
)
Plaintiffs,)
)
v.)
)
PRIME COMMUNICATIONS, L.P., a Texas)
General Partnership,)
)
Defendant.)

**DEFENDANT'S MOTION FOR EXTENSION OF TIME TO RESPOND TO
PLAINTIFF'S PETITION FOR AWARD OF ATTORNEYS' FEES AND COSTS**

NOW COMES Defendant Prime Communications, L.P. ("Defendant Prime"), by and through counsel, and moves the Court, pursuant to Rule 6(b) of the Federal Rules of Civil Procedure and Local Rule 6.1, for an extension to file a response brief in opposition to Plaintiff's Petition for Award of Attorneys' Fees and Costs in Accordance with Rule 68(a) Offers of Judgment ("Attorneys' Fees Motion"). In support of said Motion, Defendant Prime shows unto the Court the following:

1. Plaintiff's Attorneys' Fees Motion was served on Defendant Prime on the 9th day of November, 2016.
2. Defendant Prime's deadline to respond is currently set for November 30th, 2016; twenty-one days from the date of service of the Attorneys' Fees Motion in accordance with Local Rule 7.1(e)(1).

3. That the current deadline falls the week after the Thanksgiving holiday when the undersigned's office is closed on November 24 and 25.
4. That counsel will not reasonably be able, within the time allowed, to complete the investigation necessary to properly respond and object to Plaintiff's Attorneys' Fees Motion. A proper response involves the review of Plaintiff's Attorneys' billing records, which have been recently produced and total almost 200 pages of itemized billing records. Additionally, Defendant Prime may retain appropriate experts to review said records; therefore, the allotted time is not reasonably feasible to complete these tasks.
5. That the requested extension will not delay the trial of this matter or the on-going discovery.
6. That counsel has spoken with counsel for the Plaintiff and Plaintiff objects to an extension of time and plans to respond to this Motion.

WHEREFORE, Defendant Prime requests twenty-one (21) days to and including the 21st day of December, 2016 to respond or otherwise object to Plaintiff's Attorneys' Fees Motion.

Respectfully submitted this the 14th day of November, 2016.

RAGSDALE LIGGETT PLLC

By: /s/ William W. Pollock
William W. Pollock (NCSB# 19381)
John B. Walker (NCSB# 35631)
Post Office Box 31507
Raleigh, NC27622-1507
Email: bpollock@rl-law.com
Email: bwalker@rl-law.com
Telephone: (919) 787-5200
Facsimile: (919) 783-8991
Attorneys for Prime Communications, L.P.

CERTIFICATE OF SERVICE

I hereby certify that on the 14th day of November, 2016, I electronically filed the foregoing **DEFENDANT'S MOTION FOR EXTENSION OF TIME TO RESPOND TO PLAINTIFF'S PETITION FOR AWARD OF ATTORNEYS' FEES AND COSTS** with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following counsel of record:

Stephen A. Dunn, Esq.
EMANUEL & DUNN, PLLC
Post Office Box 426
Raleigh, NC 27602
Email: sdunn@emanuelanddunn.com
Counsel for Plaintiff

Harris D. Butler III, Esq.
Zev H. Antell, Esq.
BUTLER ROYALS, PLC
140 Virginia Street, Suite 302
Richmond, VA 23219
Email: Harris.butler@butlerroyals.com
Email: Zev.antell@butlerroyals.com
Counsel for Plaintiff

RAGSDALE LIGGETT PLLC

By: /s/ William W. Pollock
William W. Pollock (NCSB# 19381)
John B. Walker (NCSB# 35631)
Post Office Box 31507
Raleigh, NC 27622-1507
Email: bpollock@rl-law.com
Email: bwalker@rl-law.com
Telephone: (919) 787-5200
Facsimile: (919) 783-8991
Attorneys for Prime Communications, L.P.